



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,555	11/21/2001	Dong Qing Long	9331.41US01	2549
23552	7590	08/12/2005	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			MICHALSKI, JUSTIN I	
			ART UNIT	PAPER NUMBER
			2644	

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/990,555	LONG, DONG QING	
	Examiner	Art Unit	
	Justin Michalski	2644	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/21/01.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 16 is objected to because of the following informalities: Claim 16 contains periods in lines 3 and 5 of page 16. Each claim should begin with a capital letter and end with a period. Periods may not be used elsewhere in the claims except for abbreviations. See MPEP 608.01(m). Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 14 recites in lines 1 and 2, "the second attachment mechanism first speaker unit being..." which is unclear. The Office has interpreted this to be meant as "the second attachment mechanism of the first speaker unit being..."

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 16, 17, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Johnson (US Patent 5,781,853).

Regarding Claim 1, Johnson discloses an apparatus for transporting audio equipment comprising: a plurality of audio components (Fig. 1), each of the audio components including at least one attachment mechanism (46, 48 and 50); at least one of the audio components including at least one handle (62 and 68); one of the audio components including a wheel (54); the audio components (36 and 12) being releasably attachable end for end in a stacked arrangement by their respective attachment mechanisms (46, 48, and 50); the wheel assembly supporting the audio components during transport in the stacked arrangement (Fig 1). Note the term "releasably attachable" is inherent as indeed any two items attached or assembled by man are inherently capable, by some means, of being detached or dissembled by disconnecting, cutting, etc., even if it is necessary that such be achieved by destructive means.

Regarding Claim 16, Johnson discloses a method of attaching audio equipment comprising: providing a plurality of audio components (Fig. 1), each of the audio components including at least one attachment mechanism (46, 48, 50); at least one of the audio components including at least one handle (62 and 68); one of the audio components including a wheel (54); the audio components being releasably attachable end for end in a stacked arrangement by their respective attachment mechanisms (46, 48, 50); the wheel assembly supporting the audio components during transport in the stacked arrangement; locating the audio components together using locating guides (40) associated and integral with the audio components attaching the audio components

using the attachment mechanisms so as to releasably lock (50) the audio components together in an attached configuration. Note the term "releasably attachable" is inherent as indeed any two items attached or assembled by man are inherently capable, by some means, of being detached or disassembled by disconnecting, cutting, etc., even if it is necessary that such be achieved by destructive means.

Regarding Claim 17, Johnson further discloses stacking the audio components in a vertical orientation (Fig. 1).

Regarding Claim 19, Johnson further discloses attaching accessory equipment to the audio components in the attached configuration (Fig. 2, power supply 130).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2-16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woolley et al. (Hereinafter "Woolley") (US Patent 5,933,507) in view of Pitre (US Patent 4,031,318).

Regarding Claim 2, Woolley discloses an apparatus for transporting audio equipment comprising (Fig. 3): a control unit (10), and a plurality of speaker units (11 and 12); the control unit having a handle attached on the control unit (43), the control unit including an attachment mechanism (30, 24, and 46); at least one of the speaker

Art Unit: 2644

units being a first speaker unit (12) including a first attachment mechanism and a second attachment mechanism (34 and 48); one of the speaker units being a bottom speaker unit including an attachment mechanism (12); the attachment mechanism of the control unit being engageable so as to releasably lock with the first attachment mechanism of the first speaker unit (46). Woolley does not disclose the first speaker unit engageable with a bottom speaker unit and the bottom speaker unit including a wheel assembly to allow rolling movement. Pitre discloses a stackable speaker system (Fig. 1, speaker units 100 and 200) and further discloses a handle and handle and wheels (Fig. 9, 51 and 50). Pitre discloses the wheels and handles provide easy mobility and manipulation. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wheels to provide easy mobility and manipulation as taught by Pitre.

Regarding Claim 3, Woolley further discloses the attachment mechanisms comprise a plurality of latch member pairs integral with the control unit and the speaker units (Fig. 7, members 46 and 48).

Regarding Claims 4-6, Woolley further discloses locating guides associated with the speaker units and the control unit (61 and 62; 34 and 30).

Regarding Claims 7 and 9, Woolley further discloses the latch member pair of the control unit being oppositely disposed on sides of the control unit (46), and positioned toward a bottom end, and the latch member pair of the control unit being both male latch members or female latch members (Fig. 7, Woolley discloses latches 46 as male).

Regarding Claim 8, Woolley discloses an apparatus as stated in claim 3 including a plurality of male latches located on the control unit (latches 46) to attach it to the first speaker unit. Woolley does not disclose a plurality of latches located on the first speaker unit. It would have been obvious to one of ordinary skill in the art at the time the invention was made to place the latch portion (46) on the speakers instead of the control unit as a matter of design choice to connect the control unit to the first speaker unit.

Regarding Claim 10, Pitre further discloses the speaker units stacked in the vertical orientation (Fig. 1).

Regarding Claim 11, Pitre further discloses the speaker units output sides facing each other with in the attached configuration (Fig. 3).

Regarding Claim 12-15, Woolley further discloses one male latch member (46) and a female latch member (48) to attach the speaker units and control unit.

Regarding Claim 16, Woolley discloses a method of attaching audio equipment comprising: providing a plurality of audio components (Fig. 1), each of the audio components including at least one attachment mechanism (30, 34); at least one of the audio components including at least one handle (43); the audio components being releasably attachable end for end in a stacked arrangement by their respective attachment mechanisms (30,34, and 46); locating the audio components together using locating guides (30,34) associated and integral with the audio components attaching the audio components using the attachment mechanisms so as to releasably lock (46) the

Art Unit: 2644

audio components together in an attached configuration. Johnson does not disclose one of the audio components including a wheel and the wheel assembly supporting the audio components during transport in the stacked arrangement. Pitre discloses a stacked speaker with a handle and wheels (Fig. 9). Pitre discloses the wheels and handles provide easy mobility and manipulation. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wheels to provide easy mobility and manipulation as taught by Pitre.

Regarding Claim 18, Woolley further discloses the output sides of the audio components such that the audio output sides are coupled face to face with each other (Fig. 3).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jespersen (US Patent 3,183,305) and Rashak (US Patent 4,843,624) disclose portable audio systems with handles and wheels and control units.

Crawford (US patent 5,00,286) discloses latchable speakers with handles.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin Michalski whose telephone number is (571)272-7524. The examiner can normally be reached on M-F 7-3:30.


Art Unit: 2644

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (571)272-7848. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JIM


August 4, 2005


VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600